

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7178

BILL NUMBER: HB 1311

DATE PREPARED: Jan 9, 2002

BILL AMENDED:

SUBJECT: HIV Testing of Patients.

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FUNDS AFFECTED: X GENERAL
DEDICATED
X FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that a physician may order that an individual be tested for human immunodeficiency virus (HIV) if a health care provider has accidental direct skin or mucous membrane contact with that individual's blood or body fluids.

Effective Date: July 1, 2002.

Explanation of State Expenditures: The cost to the state will be limited. The costs to the state are limited to the extent that a state employee is involved in an accidental contact. This type of cost would normally be covered under a policy of workers compensation. However, being that the state is self-insured, the state would bear the cost of testing. The Medicaid reimbursable cost for HIV testing is \$14.56. It is assumed that the cost for test would be comparable to the Medicaid rate. The number of tests required annually cannot be determined at this time.

The State Department of Health may incur minimal administrative costs in promulgating rules for this requirement. It is assumed that the Department can absorb these administrative costs given their current budget and resources.

Background: The number of accidental contacts annually in the state is not known. Estimates on the national level indicate that approximately 600,000 to 800,000 needlesticks or other percutaneous injuries occur annually among health care workers. Other sources indicate that 30 needlestick injuries occur per 100 beds in hospitals each year.

Workers compensation paid to state employees, exclusive of medical benefits, totaled approximately \$3.1 M in FY 1997, \$3.4 M in FY 1998, \$3.7 M in FY 1999, \$3.9 M in FY 2000, and \$4.5 M in FY 2001.

Explanation of State Revenues:

Explanation of Local Expenditures: The cost to local governments, including but not limited to county hospitals, local school districts, and other local entities, will be limited. The costs are limited to the extent that a local employee is involved in an accidental contact. This type of cost would normally be covered under a policy of workers compensation. However, being that many local governments are self-insured, they would bear the cost of testing. The Medicaid reimbursable cost for HIV testing is \$14.56. It is assumed that the cost for a test would be comparable to the Medicaid rate. The number of tests required annually cannot be determined at this time.

Explanation of Local Revenues:

State Agencies Affected: Department of Health, Family and Social Services Administration, and any other state entity where the potential for an accidental contact in the line of duty exists.

Local Agencies Affected: County hospitals, local school districts, and any other local government entity where the potential for an accidental contact in the line of duty exists.

Information Sources: Marilyn Cage, Legislative Liaison, State Department of Health, (317) 233-2170; National Institute for Occupational Safety and Health website, <http://www.cdc.gov/niosh/2000-108.html>